IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.4154 OF 2004

Ravindra Pratap Singh ..Petitioner
Vs.
The State of Maharashtra & Ors. ..Respondents

Mr.M.V.Aiya for Petitioner
Mr.C.R.Sonawane, A.G.P. for Respondents 1 & 2

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 17TH FEBRUARY, 2005.

P.C.

. Rule. Heard forthwith.

. Learned Counsel for the Petitioner submits draft amendment. Draft amendment is taken on record and marked as 'X' for identification. Amendment to be carried out within one week from today.

. By order dated 18th February, 1992 the Authorisation of ARS No.28-G-17 was suspended till the result of Criminal Case no.26 of 1992. The Petitioner preferred revision. In the revision the order was stayed. However, by a final order dated 23d March, 2004 the revision was dismissed. In the mean time it appears that by judgment dated 7th January, 2002 the criminal case itself was disposed off. One of the accused had expired and the co-accused was acquitted. Pursuant to the dismissal

of the revision application the Deputy Controller Rationing G-Region, Kandivli(W), Bombay-67 by order dated 11th May, 2004 directed suspension of ARS No.28-G-17. That came to be stayed by the order of this Court dated 18th May, 2004.

. Considering the initial order it was to run till the result of Criminal Case No.26 of 1992. The Criminal Case has been disposed of and the co-accused was acquitted. In the light of that the impugned order cannot be given effect, consequently petition will have to be allowed.

. On behalf of the Respondent, learned Counsel states that they are not aware whether an appeal is filed. This Court is not concerned with that aspect as the order of suspension no longer subsists: If the Respondent no.4 is entitled to take any action, that will only be after notice to the Petitioner.

. For the above reasons the Petition is allowed and Rule made absolute in terms of prayer clause (a) and (b).

. Certified copy be issued only after the amendment is carried out.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)